

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA) Criminal No. 1:23-CR-412 (AMN)
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 v.) Government's Sentencing Memorandum
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THOMAS ULLMAN,)
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Defendant.)

The United States of America, by and through its counsel of record, the United States Attorney for the Northern District of New York, hereby files its sentencing memorandum.

I. Introduction

On October 30, 2023, the defendant pled guilty to sexual exploitation of a child, in violation 18 U.S.C. § 2251. The defendant is scheduled to be sentenced on March 28, 2024.

II. Applicable Statutory and Guidelines Provisions

The maximum penalties include: a mandatory minimum term of 15 years in prison and a maximum of 30 years; a \$250,000 fine; a lifetime term of supervised release; a \$100 special assessment; registration as a sex offender; forfeiture; and restitution.

The government adopts, without qualification, the guidelines calculations set forth in the Presentence Report (“PSR”) resulting in a total offense level of 42. PSR ¶¶ 25-50. The government agrees with the Probation Department’s finding that the defendant’s criminal history category is II.

As described above, it is the government’s position that the combined offense level is 42 and the criminal history category is II. As a result of the above-described calculations, the federal sentencing guidelines sections advise that the defendant receive a sentence of 360 months in prison; a fine of between \$50,000 and \$250,000; a \$100 special assessment; and a supervised

release term of at least five years and up to life. The defendant must also register as a sex offender and forfeit the property used in the commission of the offense. Pursuant to the plea agreement, the defendant has agreed to pay \$5,000 to V-1.

III. Government's Sentencing Recommendation

Based on all the information before the Court, the government respectfully requests that the Court sentence the defendant to a guidelines term of imprisonment followed by a lifetime term of supervised release. The sentence that the government recommends here is sufficient, but not greater than necessary to comply with the sentencing purposes set forth in 18 U.S.C. § 3553(a)(2).

The defendant targeted teen girls online, like 15-year-old V-1. The defendant convinced V-1 that they were in a romantic relationship and then instructed V-1 to masturbate her vagina with her fingers and a hairbrush over a video chat. The defendant “met” V-1 on a teen dating website which he joined to prey on teen girls. He admitted to using the account to talk with 200 teen girls and that he is particularly attracted to 15-year-old girls. He used the account to “meet” V-2, another teen girl whom he persuaded to send him sexually explicit images. As with V-1, the defendant instructed V-2 exactly what he wanted her to do in the images.

The defendant admitted to the FBI that he engaged in this conduct with at least four 13 year old girls, PSR ¶ 17; used an analogy to the movie *50 Shades of Grey* with at least 100 girls to try to convince them to be submissive to him, PSR ¶ 15; and blamed his ex-wife for his actions, PSR ¶ 18. He told the FBI that he cannot control himself.

For all these reasons, the government requests a guidelines term of imprisonment followed by lifetime supervised release. The recommended sentence is not greater than necessary given the number of girls the defendant admitted to victimizing and his statements that he is a pedophile who cannot control himself.

Respectfully submitted this 15th
day of March 2024,

CARLA B. FREEDMAN
United States Attorney

By: /s/ Katherine Kopita
Katherine Kopita
Assistant United States Attorney
Bar Roll No. 517944

CERTIFICATE OF SERVICE

I hereby certify on March 15, 2024, I electronically filed the foregoing with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to counsel for the defendant.

/s/ Katherine Kopita